

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:21-cr-44

vs.

RONALD JOSEPH HUBERS,

District Judge Michael J. Newman

Defendant.

ORDER: (1) SCHEDULING EXPERT TESTIMONY FOR JANUARY 18, 2023 AT 1:00 PM; (2) SCHEDULING SENTENCING FOR JANUARY 19, 2023 AT 1:00 PM; (3) DIRECTING DEFENSE COUNSEL TO FILE AN EXPERT WITNESS REPORT, IF COUNSEL CHOOSES TO FILE ANY, NO LATER THAN JANUARY 13, 2023 AT 12:00 PM; AND (4) ADVISING THAT THE COURT WILL NO LONGER WELCOME REQUESTS FOR CONTINUANCES IN THIS CASE ABSENT EXTRAORDINARY CIRCUMSTANCES

This criminal case is before the Court following the Court's order granting Defendant Ronald Joseph Huber's motion to continue sentencing due to his expert witness's unavailability to testify. In that order, the Court requested that defense counsel provide the Court with dates in which his expert witness is available to testify. Defense counsel provided the following dates: January 18, 2023; January 19, 2023; and January 26, 2023.

Thus, the Court **SCHEDULES** the expert testimony for January 18, 2023 at 1:00 PM in Courtroom 4 in Dayton before Judge Michael J. Newman. The Court **SCHEDULES** the sentencing for January 19, 2023 at 1:00 PM in Courtroom 4 in Dayton before Judge Michael J. Newman. If defense counsel wishes to file an expert witness report, that report is **DUE** no later than January 13, 2023 at 12:00 PM.

The Court advises that this sentencing will go forward even if the expert witness becomes unavailable to appear on January 18, 2023 or if the expert witness report is not filed by January 13, 2023. Defendant pled guilty on August 4, 2021 and was initially scheduled to be sentenced on December 2, 2021, more than one year ago. Doc. No. 34. Since then, the sentencing has been repeatedly delayed. The Court recognizes that some of the continuances were not at the request of defense counsel. However, the number of defense counsel's requests, extent of the delays, and limited availability of defense counsel's expert witness have become excessive. The Court has been patient and now schedules these January 2023 dates based on the preferences of defense counsel. However, in light of the Court's concern for efficient disposition of cases, the Court will no longer welcome requests for continuances in this case absent extraordinary circumstances.

IT IS SO ORDERED.

December 6, 2022

s/ Michael J. Newman

Hon. Michael J. Newman
United States District Judge